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Mortgage Investment Trust*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

ROBERTO VERTHELYI, on behalf  
of himself and all others similarly  
situated,

Plaintiff,

v.

PENNYMAC MORTGAGE  
INVESTMENT TRUST; PNMAC  
CAPITAL MANAGEMENT, LLC,

Defendants.

Case No. 2:24-cv-05028-MWF

**DECLARATION OF MATTHEW  
DONALD UMHOFER IN  
SUPPORT OF DEFENDANTS'  
REQUEST FOR JUDICIAL  
NOTICE IN SUPPORT OF THEIR  
REPLIES TO MOTIONS TO  
DIMISS PLAINTIFF'S  
COMPLAINT**

Hearing Date: Nov. 18, 2024  
Time: 10:00 a.m.  
Place: Courtroom 5A  
Judge: Michael W. Fitzgerald

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2 I, Matthew Donald Umhofer, hereby declare and state as follows:

3 1. I am a partner at Umhofer, Mitchell & King LLP, and I represent  
4 Defendants PennyMac Mortgage Investment Trust and PNMAC Capital Management,  
5 LLC in this matter. I understand that I am submitting this Declaration in connection  
6 with Defendants' Request for Judicial Notice in support of their Replies to Motions to  
7 Dismiss the Complaint in the above-captioned case. I have personal knowledge of the  
8 facts set forth herein and, if called upon to do so, would and could testify competently  
9 thereto.

10 2. Exhibit D is a true and correct copy of legislative history regarding the  
11 Adjustable Interest Rate (LIBOR) Act of 2021, H.R. Rep. No. 117-206 (2021).

12 I declare under penalty of perjury under the laws of the State of California and the  
13 United States of America that the foregoing is true and correct to the best of my  
14 knowledge and belief.

15 Executed on November 4, 2024, at Los Angeles, CA.

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17 By: /s/Matthew Donald Umhofer  
18 Matthew Donald Umhofer  
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